

DENTAL BOARD[650]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 147.76, the Dental Board hereby gives Notice of Intended Action to amend Chapter 10, “General Requirements,” Chapter 11, “Licensure to Practice Dentistry or Dental Hygiene,” Chapter 12, “Dental and Dental Hygiene Examinations,” Chapter 13, “Special Licenses,” Chapter 14, “Renewal,” Chapter 15, “Fees,” Chapter 20, “Dental Assistants,” Chapter 22, “Dental Assistant Radiography Qualification,” Chapter 25, “Continuing Education,” Chapter 29, “Sedation and Nitrous Oxide Inhalation Analgesia,” and Chapter 51, “Contested Cases,” Iowa Administrative Code.

These proposed amendments:

- Update the rules to reflect changes related to a new licensing database system. The new system will offer online filing of all applications (e.g., initial licensure, registration, renewals, reinstatements, reactivation, and continuing education courses) and complaints; license verification; and other electronic services that will increase access to Board services. The amendments eliminate collection of unnecessary application information, streamline the application process and provide for a paperless process.

- Combine fee information currently located in nine chapters into one chapter to make the rules more user-friendly and understandable. These amendments consolidate renewal and reinstatement information currently located in multiple chapters into one chapter for ease of reference.

- Provide that users of the online system will pay a service charge in addition to regular fees for Board services. Service charges are costs charged by external entities for the online system (e.g., fees charged banks for credit card processing, e-payment fees payable to DAS-ITE and the Treasurer of State, and DAS-ITE charge for Enterprise Authentication for each person who logs on to the system).

- Streamline the initial licensure process for applicants applying for a license within three months of the next renewal due date. Applicants applying close to a renewal cycle will pay the application fee and the renewal fee at the same time. Their licenses will be issued for a period of 24 months plus the amount of time remaining until the next renewal due date. This change will eliminate the need for applicants to submit two separate applications and fees within one three-month period. For example, under existing rules a dentist graduating in May 2012 who submits an application for an Iowa dental license will pay a \$200 application fee. Dental licenses are valid for a 24-month period and are renewed in even-numbered years. This newly licensed dentist must renew the license by August 31, 2012, and pay the renewal fee of \$315. This requires the submittal of two applications (one for initial licensure and one for the renewal application due by August 31, 2012) and two checks (a \$200 licensure application fee and a \$315 fee for renewal) within a very short period. The proposed amendments would allow the applicant in this example to submit one application and pay one combined fee of \$515 (\$200 application fee plus the \$315 renewal fee due August 31, 2012). At the time the application for licensure is approved, the license would be issued and valid for a period of 27 months (24 months plus the 3 months remaining until the August 31, 2012, renewal). This change will impact only applicants who are applying within three months of a biennial renewal due date.

- Implement 2011 Iowa Acts, Senate File 438, regarding licensure by credentials. This recent statutory change directed the Board to establish by rule the regional clinical examinations that will be accepted for licensure by credentials. The amendments identify the following regional examinations as approved by the Board for purposes of applications for licensure by credentials: Central Regional Dental Testing Service, Inc. (CRDTS), the Western Regional Examining Board, Inc. (WREB), Southern

Regional Testing Agency (SRTA), North East Regional Board of Dental Examiners (NERB), and Council of Interstate Testing Agencies (CITA).

Written comments about the proposed amendments will be accepted through June 5, 2012. Comments should be directed to Melanie Johnson, Executive Director, Iowa Dental Board, 400 SW 8th Street, Suite D, Des Moines, Iowa 50309-4687, or by e-mail to Melanie.Johnson@iowa.gov.

A public hearing will be held on June 5, 2012, at 2:30 p.m. at the office of the Iowa Dental Board located at 400 SW 8th Street, Suite D, Des Moines, Iowa. At the hearing, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendments. Any person who plans to attend the public hearing and who may have special requirements, such as those related to hearing or mobility impairments, should contact the Board office and advise of specific needs.

These amendments were approved at the December 16, 2011, meeting of the Iowa Dental Board.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code section 153.33.

The following amendments are proposed.

ITEM 1. Amend subrule 10.6(1) as follows:

10.6(1) *Change of address or name.* Each person licensed or registered by the board must notify the board, ~~in writing~~ by written correspondence or through the board's online system, of a change of legal name or address within 60 days of such change. Proof of a legal name change, such as a notarized copy of a marriage certificate, must accompany the request for a name change.

ITEM 2. Amend rule 650—11.1(147,153) as follows:

650—11.1(147,153) Applicant responsibilities. An applicant for dental or dental hygiene licensure bears full responsibility for each of the following:

1. Paying all fees charged by regulatory authorities, national testing or credentialing organizations, health facilities, and educational institutions providing the information required to complete a license or permit application; and

2. Providing accurate, up-to-date, and truthful information on the application form including, but not limited to, prior professional experience, education, training, examination scores, and disciplinary history.

3. Submitting complete application materials. An application for a license, permit, or registration or reinstatement of a license or registration will be considered active for 180 days from the date the application is received. For purposes of establishing timely filing, the postmark on a paper submittal will be used, and for applications submitted online, the electronic timestamp will be deemed the date of filing. If the applicant does not submit all materials, including a completed fingerprint packet, within this time period or if the applicant does not meet the requirements for the license, permit, registration or reinstatement, the application shall be considered incomplete. An applicant whose application is filed incomplete must submit a new application and application fee.

ITEM 3. Amend rule 650—11.2(147,153) as follows:

650—11.2(147,153) Dental licensure by examination.

11.2(1) Applications for licensure to practice dentistry in this state shall be made on the form provided by the board and must be ~~completely answered, including complete and include~~ required credentials and documents.

11.2(2) Applications for licensure must be filed with the board along with:

a. Documentation of graduation from dental college. Satisfactory evidence of graduation with a DDS or DMD from an accredited dental college approved by the board or satisfactory evidence of meeting the requirements specified in rule 650—11.4(153).

b. Certification of good standing from dean or designee. Certification by the dean or other authorized representative of the dental school that the applicant has been a student in good standing while attending that dental school.

c. ~~Certification~~ Evidence of good standing in each state where licensed. If the applicant is a dentist licensed by another jurisdiction, the applicant shall furnish ~~certification from the board of dental examiners of that jurisdiction that~~ evidence that the applicant is a licensed dentist in good standing in those states in which the applicant is licensed.

d. Documentation of passage of national dental examination. Evidence of successful completion of ~~Part I and Part II~~ of the examination, ~~with resulting scores~~, administered by the Joint Commission on National Dental Examinations. ~~At the discretion of the board, any~~ Any dentist who has lawfully practiced dentistry in another state or territory for five years may be exempted from presenting this evidence.

e. Documentation of passage of a regional clinical examination.

(1) Successful passage of CRDTS. Evidence of successful completion of the examination taken in the last five years, ~~with resulting scores~~, administered by the Central Regional Dental Testing Service, Inc. (CRDTS).

(2) Special transition period for dentists passing WREB or ADEX examination prior to September 1, 2011. An applicant who has successfully taken and passed the WREB or ADEX examination within the five years prior to September 1, 2011, may apply for licensure by examination by submitting evidence of successful completion of the WREB or ADEX examination.

f. to h. No change.

i. Current CPR certification. Evidence A statement:

(1) Confirming that the applicant possesses a valid certificate in from a nationally recognized course in cardiopulmonary resuscitation (CPR) that included a “hands-on” clinical component;

(2) Providing the expiration date of the CPR certificate; and

(3) Acknowledging that the CPR certificate will be retained and made available to board office staff as part of routine auditing and monitoring.

j. ~~Current photograph.~~ A photograph of the applicant suitable for positive identification.

k. ~~j.~~ Completed fingerprint packet. A completed fingerprint packet to facilitate a criminal history background check by the DCI and FBI.

11.2(3) The board may require a personal appearance or any additional information relating to the character, education and experience of the applicant.

11.2(4) Applications must be signed and ~~notarized~~ verified as to the truth of the statements contained therein.

This rule is intended to implement Iowa Code sections 147.3, 147.29, and 147.34.

ITEM 4. Amend rule 650—11.3(153) as follows:

650—11.3(153) Dental licensure by credentials.

11.3(1) Applications for licensure by credentials to practice dentistry in this state shall be made on the form provided by the board and must be completely answered, including required credentials and documents.

11.3(2) Applications must be filed with the board along with:

a. Satisfactory evidence of graduation with a DDS or DMD from an accredited dental college approved by the board or satisfactory evidence of meeting the requirements specified in rule 650—11.4(153).

b. Evidence of successful completion of ~~Parts I and II~~ of the examination of the Joint Commission on National Dental Examinations, ~~with resulting scores~~, or evidence of having passed a written examination during the last ten years that is comparable to the examination given by the Joint Commission on National Dental Examinations. Any dentist who has lawfully practiced dentistry in another state or territory for five years may be exempted from presenting this evidence.

c. A statement of any dental examinations taken by the applicant, ~~with resulting scores~~ with indication of pass/fail for each examination taken. Any dentist who has lawfully practiced dentistry in another state or territory for five or more years may be exempted from presenting this evidence.

d. Evidence of a current, valid license to practice dentistry in another state, territory or district of the United States issued ~~upon clinical examination~~ under requirements equivalent or substantially equivalent to those of this state.

~~e. Certification by a state board of dentistry, or equivalent authority, from a state in which applicant has been licensed for at least three years immediately preceding the date of application and evidence of having engaged in the practice of dentistry in that state for three years immediately preceding the date of application or evidence of three years of practice satisfactory to the board. Evidence that the applicant has met at least one of the following:~~

~~(1) Passed an examination approved by the board in accordance with Iowa Code section 147.34(1) and administered by a regional or national testing service. The clinical examinations approved by the board are specified in 650—subrule 12.1(5); or~~

~~(2) Has for three consecutive years immediately prior to the filing of the application been in the lawful practice of dentistry in such other state, territory or district of the United States.~~

~~f. Certification by Evidence from the state board of dentistry, or equivalent authority, from each state in which applicant has engaged in the been licensed to practice of dentistry, that the applicant has not been the subject of final or pending disciplinary action.~~

~~g. A statement disclosing and explaining any disciplinary actions, investigations, malpractice claims, complaints, judgments, settlements, or criminal charges, including the results of a self-query of the National Practitioners Data Bank (NPDB) and the Healthcare Integrity and Protection Data Bank (HIPDB).~~

~~h. The nonrefundable application fee for licensure by credentials, plus the fee for the evaluation of the fingerprint packet and the criminal history background checks by the Iowa division of criminal investigation (DCI) and the Federal Bureau of Investigation (FBI), as specified in 650—Chapter 15.~~

~~i. Current CPR certification. Evidence A statement:~~

~~(1) Confirming that the applicant possesses a valid certificate in from a nationally recognized course in cardiopulmonary resuscitation (CPR) that included a “hands-on” clinical component;~~

~~(2) Providing the expiration date of the CPR certificate; and~~

~~(3) Acknowledging that the CPR certificate will be retained and made available to board office staff as part of routine auditing and monitoring.~~

~~j. Evidence of successful completion of the jurisprudence examination administered by the board of dental examiners Iowa dental board.~~

~~k. A photograph of the applicant suitable for positive identification.~~

~~l. k. A completed fingerprint packet to facilitate a criminal history background check by the DCI and FBI.~~

11.3(3) The board may require a personal appearance or may require any additional information relating to the character, education, and experience of the applicant.

11.3(4) The board may also require such examinations as may be necessary to evaluate the applicant for licensure by credentials.

11.3(5) Applications must be signed and notarized verified attesting to the truth of the statements contained therein.

This rule is intended to implement Iowa Code chapters 147 and 153.

ITEM 5. Amend subrule 11.5(2) as follows:

11.5(2) Applications for licensure must be filed with the dental hygiene committee along with:

a. *Documentation of graduation from dental hygiene school.* Satisfactory evidence of graduation from an accredited school of dental hygiene approved by the dental hygiene committee.

b. *Certification of good standing from dean or designee.* Certification by the dean or other authorized representative of the school of dental hygiene that the applicant has been a student in good standing while attending that dental hygiene school.

c. ~~Certification~~ *Evidence of good standing in each state where licensed.* If the applicant is licensed as a dental hygienist by another jurisdiction, the applicant shall furnish ~~certification~~ evidence from the appropriate examining board of that jurisdiction that the applicant is a licensed dental hygienist in good standing.

d. Documentation of completion of national examination. Evidence of successful completion of the examination, ~~with resulting scores,~~ administered by the Joint Commission on National Dental Examinations.

e. Passage of regional clinical examination.

(1) Successful passage of CRDTS. Evidence of ~~successful completion of the examination taken having successfully completed~~ in the last five years, ~~with resulting scores,~~ the examination administered by the Central Regional Dental Testing Service, Inc. (CRDTS).

(2) Special transition period for dental hygienists passing WREB examination prior to September 1, 2011. An applicant who has successfully taken and passed the WREB examination within the five years prior to September 1, 2011, may apply for licensure by examination by submitting evidence of successful completion of the WREB examination.

f. Payment of application, fingerprint and background check fees. The nonrefundable application fee, plus the fee for the evaluation of the fingerprint packet and the criminal history background checks by the Iowa division of criminal investigation (DCI) and the Federal Bureau of Investigation (FBI), as specified in 650—Chapter 15.

g. Documentation of passage of jurisprudence examination. Evidence of successful completion of the jurisprudence examination administered by the dental hygiene committee.

h. Current CPR certification. Evidence A statement:

(1) Confirming that the applicant possesses a valid certificate in from a nationally recognized course in cardiopulmonary resuscitation (CPR) that included a “hands-on” clinical component;

(2) Providing the expiration date of the CPR certificate; and

(3) Acknowledging that the CPR certificate will be retained and made available to board office staff as part of routine auditing and monitoring.

i. Explanation of any legal or administrative actions. A statement disclosing and explaining any disciplinary actions, investigations, complaints, malpractice claims, judgments, settlements, or criminal charges, including the results of a self-query of the National Practitioners Data Bank (NPDB) and the Healthcare Integrity and Protection Data Bank (HIPDB).

~~*j. Current photograph.* A photograph of the applicant suitable for positive identification.~~

~~*k. j. Completed fingerprint packet.* A completed fingerprint packet to facilitate a criminal history background check by the DCI and FBI.~~

ITEM 6. Amend subrule 11.5(4) as follows:

11.5(4) Applications must be signed and ~~notarized~~ verified as to the truth of the statements contained therein.

ITEM 7. Amend subrule 11.6(2) as follows:

11.6(2) Applications must be filed with the dental hygiene committee along with:

a. Satisfactory evidence of graduation from an accredited school of dental hygiene approved by the dental hygiene committee.

b. Evidence of successful completion of the examination of the Joint Commission on National Dental Examinations ~~with resulting scores,~~ or evidence of having passed a written examination that is comparable to the examination given by the Joint Commission on National Dental Examinations.

c. A statement of any dental hygiene examinations taken by the applicant, ~~with resulting scores~~ with indication of pass/fail for each examination taken. Any dental hygienist who has lawfully practiced dental hygiene in another state or territory for five or more years may be exempted from presenting this evidence.

d. Evidence of a current, valid license to practice dental hygiene in another state, territory or district of the United States issued ~~upon clinical examination~~ under requirements equivalent or substantially equivalent to those of this state.

e. ~~Certification by the state board of dentistry, or equivalent authority, from a state in which applicant has been licensed for at least three years immediately preceding the date of application and evidence of having engaged in the practice of dental hygiene in that state for three years immediately~~

~~preceding the date of application or evidence of practice satisfactory to the dental hygiene committee.~~
Evidence that the applicant has met at least one of the following:

(1) Passed an examination approved by the board in accordance with Iowa Code section 147.34(1) and administered by a regional or national testing service. The clinical examinations approved by the board are specified in 650—subrule 12.1(5).

(2) Has for three consecutive years immediately prior to the filing of the application been in the lawful practice of dental hygiene in such other state, territory or district of the United States.

~~f. Certification by~~ Evidence from the state board of dentistry, or equivalent authority, in each state in which applicant has ~~engaged in the~~ been licensed to practice of dental hygiene, that the applicant has not been the subject of final or pending disciplinary action.

g. A statement disclosing and explaining any disciplinary actions, investigations, complaints, malpractice claims, judgments, settlements, or criminal charges, including the results of a self-query of the National Practitioners Data Bank (NPDB) and the Healthcare Integrity and Protection Data Bank (HIPDB).

h. The nonrefundable application fee for licensure by credentials, plus the initial licensure fee and the fee for the evaluation of the fingerprint packet and the criminal history background checks by the Iowa division of criminal investigation (DCI) and the Federal Bureau of Investigation (FBI), as specified in 650—Chapter 15.

i. ~~Evidence~~ A statement:

(1) Confirming that the applicant possesses a valid certificate in from a nationally recognized course in cardiopulmonary resuscitation (CPR) that included a “hands-on” clinical component;

(2) Providing the expiration date of the CPR certificate; and

(3) Acknowledging that the CPR certificate will be retained and made available to board office staff as part of routine auditing and monitoring.

j. Successful completion of the jurisprudence examination administered by the dental hygiene committee.

~~k. A photograph of the applicant suitable for positive identification.~~

~~k.~~ A completed fingerprint packet to facilitate a criminal history background check by the DCI and FBI.

ITEM 8. Amend subrule 11.6(5) as follows:

11.6(5) Applications must be signed and ~~notarized~~ verified attesting to the truth of the statements contained therein.

ITEM 9. Amend subrule 11.7(2) as follows:

11.7(2) Permit renewal. ~~Prior to June 30, 2006, the permit shall expire on June 30 of every even-numbered year. For the renewal period beginning July 1, 2006, and ending June 30, 2007, the permit shall expire on June 30, 2007. A permit due to expire on June 30, 2007, shall be automatically extended until August 30, 2007, and expire August 31, 2007. After August 30, 2007, the~~ The permit shall expire on August 31 of every odd-numbered year. To renew the permit, the dental hygienist must:

a. At the time of renewal, document evidence of holding an active Iowa dental hygiene license.

b. Submit the application fee for renewal of the permit as specified in 650—Chapter 15.

ITEM 10. Adopt the following new subrule 12.1(5):

12.1(5) *Clinical examinations accepted for purposes of licensure by credentials.* The board is authorized by 2011 Iowa Code Supplement section 153.21 to establish the regional or national testing service examinations that will be accepted for purposes of licensure by credentials. The following regional examinations are approved by the board for purposes of application for licensure by credentials submitted pursuant to 650—Chapter 11: Central Regional Dental Testing Service, Inc. (CRDTS), Western Regional Examining Board, Inc. (WREB), Southern Regional Testing Agency (SRTA), North East Regional Board of Dental Examiners (NERB), and Council of Interstate Testing Agencies (CITA).

ITEM 11. Adopt the following **new** subrule 12.3(5):

12.3(5) *Clinical examinations accepted for purposes of licensure by credentials.* The board is authorized by 2011 Iowa Code Supplement section 153.21 to establish the regional or national testing service examinations that will be accepted for purposes of licensure by credentials. The following regional examinations are approved by the board for purposes of application for licensure by credentials submitted pursuant to 650—Chapter 11: Central Regional Dental Testing Service, Inc. (CRDTS), Western Regional Examining Board, Inc. (WREB), Southern Regional Testing Agency (SRTA), North East Regional Board of Dental Examiners (NERB), and Council of Interstate Testing Agencies (CITA).

ITEM 12. Amend subrule 13.1(5) as follows:

13.1(5) A resident license may be extended past the original expected completion date of the training program at the discretion of the board. A licensee who wishes to extend the expiration date of the license shall submit to the board office an extension application ~~to the board~~ that includes a letter explaining the need for an extension, an extension fee of \$40 in the amount specified in 650—Chapter 15, and a statement from the director of the resident training program attesting to the progress of the resident in the training program, the new expected date of completion of the program, and whether any warnings have been issued, investigations conducted or disciplinary actions taken, whether by voluntary agreement or formal action.

ITEM 13. Amend subrules 13.2(2), 13.2(3) and 13.2(7) as follows:

13.2(2) The dean of the college of dentistry or chairperson of a dental hygiene program shall certify to the board or the dental hygiene committee those bona fide members of the college's or a dental hygiene program's faculty who are not licensed to practice dentistry or dental hygiene in Iowa. Any faculty member so certified shall, prior to commencing duties in the college of dentistry or a dental hygiene program, make on official board forms written application to the board or the dental hygiene committee for a permit and shall provide the following:

a. The nonrefundable application fee, plus the fee for the evaluation of the fingerprint packet and the criminal history background checks by the Iowa division of criminal investigation (DCI) and the Federal Bureau of Investigation (FBI), as specified in 650—Chapter 15.

b. Information regarding the professional qualifications and background of the applicant.

c. A completed fingerprint packet to facilitate a criminal history background ~~check~~ checks by the DCI and FBI.

d. If the applicant is licensed by another jurisdiction, the applicant shall furnish ~~certification~~ evidence from the board of dental examiners of that jurisdiction that the applicant is licensed in good standing and has not been the subject of final or pending disciplinary action.

e. A statement disclosing and explaining any disciplinary actions, investigations, complaints, malpractice claims, judgments, settlements, or criminal charges, including the results of a self-query of the National Practitioners Data Bank (NPDB) and the Healthcare Integrity and Protection Data Bank (HIPDB).

~~f. A photograph of the applicant suitable for positive identification.~~

~~g. f. Evidence that the applicant possesses a valid certificate in a nationally recognized course in cardiopulmonary resuscitation. A statement:~~

(1) Confirming that the applicant possesses a valid certificate from a nationally recognized course in cardiopulmonary resuscitation (CPR) that included a "hands-on" clinical component;

(2) Providing the expiration date of the CPR certificate; and

(3) Acknowledging that the CPR certificate will be retained and made available to board office staff as part of routine auditing and monitoring.

~~h. g.~~ Such additional information as the board may deem necessary to enable it to determine the character, education or experience of such applicant.

~~i. h.~~ Applications must be signed and ~~notarized~~ verified as to the truth of the statements contained therein and include required credentials and documents, and all questions must be completely answered.

~~j. i.~~ Evidence of successful completion of the jurisprudence examination administered by the Iowa dental board.

13.2(3) A faculty permit shall expire on August 31 of every even-numbered year and may, at the sole discretion of the board, be renewed on a biennial basis. ~~Prior to June 30, 2006, a faculty permit expired on June 30 of every even-numbered year. A faculty permit due to expire on June 30, 2008, shall be automatically extended until August 30, 2008, and expire August 31, 2008.~~

13.2(7) Faculty ~~To renew the permit, faculty permit holders shall also be required to submit evidence of current certification in a nationally recognized course in cardiopulmonary resuscitation to renew the permit. a statement:~~

- ~~a. Confirming that the applicant possesses a valid certificate from a nationally recognized course in cardiopulmonary resuscitation (CPR) that included a “hands-on” clinical component;~~
- ~~b. Providing the expiration date of the CPR certificate; and~~
- ~~c. Acknowledging that the CPR certificate will be retained and made available to board office staff as part of routine auditing and monitoring.~~

ITEM 14. Amend paragraph **13.3(1)“g”** as follows:

g. A temporary permit holder shall notify the board ~~in writing~~ by written correspondence or through the board’s online system of any change in name or mailing address within seven days of the change. A certified copy of a marriage license or a certified copy of court documents is required for proof of a name change.

ITEM 15. Amend subrules 13.3(2) and 13.3(3) as follows:

13.3(2) Eligibility for a temporary permit to fulfill an urgent need or serve an educational purpose. An application for a temporary permit shall be filed on the form provided by the board and must be completely answered, including required credentials and documents. An applicant for a temporary permit may submit an application online or on a paper form. To be eligible for a temporary permit to fulfill an urgent need or serve an educational purpose, an applicant shall provide all of the following:

a. Satisfactory evidence of graduation with a DDS or DMD degree for applicants seeking a temporary permit to practice dentistry or satisfactory evidence of graduation from a dental hygiene school for applicants seeking a temporary permit to practice dental hygiene.

b. The nonrefundable application fee for a temporary permit to fulfill an urgent need or serve an educational purpose as specified in 650—Chapter 15.

c. ~~Evidence that the applicant possesses a valid certificate in a nationally recognized course in cardiopulmonary resuscitation. A statement:~~

(1) Confirming that the applicant possesses a valid certificate from a nationally recognized course in cardiopulmonary resuscitation (CPR) that included a “hands-on” clinical component;

(2) Providing the expiration date of the CPR certificate; and

(3) Acknowledging that the CPR certificate will be retained and made available to board office staff as part of routine auditing and monitoring.

d. A statement disclosing and explaining any disciplinary actions, investigations, complaints, malpractice claims, judgments, settlements, or criminal charges against the applicant.

e. Certification from the state board of dentistry, or equivalent authority, from a state in which the applicant has been licensed for at least three years immediately preceding the date of application and evidence of having engaged in the practice of dentistry in that state for three years immediately preceding the date of application or evidence of three years of practice satisfactory to the board. The applicant must also provide evidence that the applicant has not been the subject of final or pending disciplinary action.

f. ~~Certification~~ Evidence from the appropriate examining board from each jurisdiction in which the applicant has ever held a license. At least one license must be issued on the basis of clinical examination.

g. A request for the temporary permit from those individuals or organizations seeking the applicant’s services that establishes, to the board’s satisfaction, the justification for the temporary permit, the dates the applicant’s services are needed, and the location or locations where those services will be delivered.

13.3(3) Eligibility for a temporary permit to provide volunteer services.

a. A temporary permit to provide volunteer services is intended for dentists and dental hygienists who will provide volunteer services at a free or nonprofit dental clinic and who will not receive compensation for dental services provided. A temporary permit issued under this subrule shall be valid only at the location specified on the permit, which shall be a free clinic or a dental clinic for a nonprofit organization, as described under Section 501(c)(3) of the Internal Revenue Code.

b. An application for a temporary permit shall be filed on the form provided by the board and must be completely answered, including required credentials and documents. To be eligible for a temporary permit to provide volunteer services, an applicant shall provide all of the following:

~~(1) Satisfactory evidence of graduation with a DDS or DMD degree for applicants seeking a temporary permit to practice dentistry or satisfactory evidence of graduation from a dental hygiene school for applicants seeking a temporary permit to practice dental hygiene.~~

~~(2) (1) The nonrefundable application fee for a temporary permit to provide volunteer services as specified in 650—Chapter 15.~~

~~(3) (2) Evidence that the applicant possesses a valid certificate in a nationally recognized course in cardiopulmonary resuscitation. A statement:~~

~~1. Confirming that the applicant possesses a valid certificate from a nationally recognized course in cardiopulmonary resuscitation (CPR) that included a “hands-on” clinical component;~~

~~2. Providing the expiration date of the CPR certificate; and~~

~~3. Acknowledging that the CPR certificate will be retained and made available to board office staff as part of routine auditing and monitoring.~~

~~(4) (3) A statement disclosing and explaining any disciplinary actions, investigations, complaints, malpractice claims, judgments, settlements, or criminal charges against the applicant.~~

~~(5) (4) Evidence that the applicant holds an active, permanent license in good standing to practice in at least one United States jurisdiction and that no formal disciplinary action is pending or has even ever been taken.~~

~~(6) (5) Certification Evidence from the appropriate examining board from each jurisdiction in which the applicant has ever held a license. At least one license must be issued on the basis of clinical examination.~~

~~(7) (6) A request for the temporary permit from those individuals or organizations seeking the applicant’s services that establishes, to the board’s satisfaction, the justification for the temporary permit, the dates the applicant’s services are needed, and the location or locations where those services will be delivered.~~

~~(8) (7) A statement from the applicant seeking the temporary permit that the applicant shall practice only in a free dental clinic or dental clinic for a nonprofit organization and that the applicant shall not receive compensation directly or indirectly for providing dental services.~~

ITEM 16. Amend **650—Chapter 14**, title, as follows:

RENEWAL AND REINSTATEMENT

ITEM 17. Amend rule 650—14.1(147,153,272C) as follows:

650—14.1(147,153,272C) Renewal of license to practice dentistry or dental hygiene. A license to practice dentistry or a license to practice dental hygiene must be renewed prior to the expiration date of the license. ~~Prior to July 1, 2008, dental licenses expired on June 30 of every even-numbered year. A dental license due to expire on June 30, 2008, shall be automatically extended until August 30, 2008, and expire August 31, 2008. Beginning July 1, 2008, dental licenses expire on August 31 of every even-numbered year. Prior to July 1, 2006, dental hygiene licenses expired on June 30 of every even-numbered year. However, for the renewal period beginning July 1, 2006, a dental hygiene license expires on June 30, 2007. A dental hygiene license due to expire on June 30, 2007, shall be automatically extended until August 30, 2007, and expire August 31, 2007. Beginning July 1, 2007, dental~~ Dental hygiene licenses expire on August 31 of every odd-numbered year. Dental licenses expire August 31 of every even-numbered year. ~~The board will notify each licensee by mail of the expiration of the license.~~

~~14.1(1) *Application renewal procedures.* Application for renewal must be made in writing on forms provided by the board at least 30 days before the current license expires.~~

~~a. *Renewal notice.* The board office will send a renewal notice by regular mail or e-mail to each licensee at the licensee's last-known mailing or e-mail address.~~

~~b. *Licensee and permit holder obligation.* The licensee or permit holder is responsible for renewing the license or permit prior to its expiration. Failure of the licensee or permit holder to receive the notice does not relieve the licensee or permit holder of the responsibility for renewing that license or permit in order to continue practicing in the state of Iowa.~~

~~c. *Renewal application form.* Application for renewal must be made on forms provided by the board office. Licensees and permit holders may renew their licenses and permits online or via paper application.~~

~~d. *Complete and timely filed application.* No renewal application shall be considered timely and sufficient until received by the board office and accompanied by all material required for renewal and all applicable renewal and late fees. Incomplete applications will be not be accepted. For purposes of establishing timely filing, the postmark on a paper submittal will be used, and for renewals submitted online, the electronic timestamp will be deemed the date of filing.~~

~~14.1(2) *Application fee.* The appropriate fee as specified in 650—Chapter 15 of these rules must accompany the application for renewal. A penalty shall be assessed by the board for late renewal, as specified in 650—Chapter 15.~~

~~14.1(3) *Continuing education requirements.* Completion of continuing education in accordance with 650—Chapter 25 is required for renewal of an active license. However, licensees are exempt from the continuing education requirement for the current biennium in which the license is first issued.~~

~~14.1(4) *CPR certification.* In order to renew a license, evidence of current certification in a nationally recognized course in cardiopulmonary resuscitation is required. The course must include a clinical component. an applicant must submit a statement:~~

~~a. *Confirming that the applicant possesses a valid certificate from a nationally recognized course in cardiopulmonary resuscitation (CPR) that included a "hands-on" clinical component;*~~

~~b. *Providing the expiration date of the CPR certificate; and*~~

~~c. *Acknowledging that the CPR certificate will be retained and made available to board office staff as part of routine auditing and monitoring.*~~

~~14.1(5) *Dental hygiene committee review.* The dental hygiene committee may, in its discretion, review any applications for renewal of a dental hygiene license and make recommendations to the board. The board's review is subject to 650—Chapter 1.~~

~~This rule is intended to implement Iowa Code section 147.10 and chapters 153 and 272C.~~

~~ITEM 18. Adopt the following **new** rule 650—14.2(153):~~

~~**650—14.2(153) Renewal of registration as a dental assistant.** A certificate of registration as a registered dental assistant must be renewed biennially. Registration certificates shall expire on August 31 of every odd-numbered year.~~

~~14.2(1) *Renewal procedures.*~~

~~a. *Renewal notice.* The board office will send a renewal notice by regular mail or e-mail to each registrant at the registrant's last-known mailing address or e-mail address. The board will notify each registrant by mail or e-mail of the expiration of the registration certificate.~~

~~b. *Registrant obligation.* The registrant is responsible for renewing the registration prior to its expiration. Failure of the registrant to receive the notice does not relieve the registrant of the responsibility for renewing that registration in order to continue practicing in the state of Iowa.~~

~~c. *Renewal application form.* Registrants may renew their registration online or via paper application. Paper application for renewal must be made in writing on forms provided by the board office before the current registration expires.~~

~~d. *Complete and timely filed application.* No renewal application shall be considered timely and sufficient until received by the board office and accompanied by all material required for renewal and all applicable renewal and late fees. Incomplete applications will be not be accepted. For purposes of~~

establishing timely filing, the postmark on a paper submittal will be used, and for renewals submitted online, the electronic timestamp will be deemed the date of filing.

14.2(2) Application fee. The appropriate fee as specified in 650—Chapter 15 must accompany the application for renewal. A penalty shall be assessed by the board for late renewal, as specified in 650—Chapter 15.

14.2(3) Continuing education requirements. Completion of continuing education as specified in rule 650—20.11(153) and 650—Chapter 25 is required for renewal of an active registration. Failure to meet the requirements of renewal in the time specified by rule will automatically result in a lapsed registration.

14.2(4) CPR certification. In order to renew a registration, an applicant must submit a statement:

- a. Confirming that the applicant possesses a valid certificate from a nationally recognized course in cardiopulmonary resuscitation (CPR) that included a “hands-on” clinical component;
- b. Providing the expiration date of the CPR certificate; and
- c. Acknowledging that the CPR certificate will be retained and made available to board office staff as part of routine auditing and monitoring.

This rule is intended to implement Iowa Code sections 147.10 and 153.39.

ITEM 19. Renumber rules **650—14.3(147,153,272C)** to **650—14.5(147,153,272C)** as **650—14.4(147,153,272C)** to **650—14.6(147,153,272C)**.

ITEM 20. Adopt the following new rule 650—14.3(136C,153):

650—14.3(136C,153) Renewal of dental assistant radiography qualification. A certificate of radiography qualification must be renewed biennially. Radiography qualification certificates shall expire on August 31 of every odd-numbered year.

14.3(1) Renewal procedures.

a. *Renewal notice.* The board office will send a renewal notice by regular mail or e-mail to each registrant at the registrant’s last-known mailing address or e-mail address. The board will notify each registrant by mail or e-mail of the expiration of the radiography qualification.

b. *Registrant obligation.* The registrant is responsible for renewing the radiography qualification prior to its expiration. Failure of the registrant to receive the notice does not relieve the registrant of the responsibility for renewing that radiography qualification if the registrant wants to continue taking dental radiographs in the state of Iowa.

c. *Renewal application form.* Application for renewal must be made in writing on forms provided by the board office before the current radiography qualification expires. Registrants may renew their radiography qualification online or via paper application.

d. *Complete and timely filed application.* No renewal application shall be considered timely and sufficient until received by the board office and accompanied by all material required for renewal and all applicable renewal and late fees. Incomplete applications will be not be accepted. For purposes of establishing timely filing, the postmark on a paper submittal will be used, and for renewals submitted online, the electronic timestamp will be deemed the date of filing.

14.3(2) Application fee. The appropriate fee as specified in 650—Chapter 15 must accompany the application for renewal. A penalty shall be assessed by the board for late renewal, as specified in 650—Chapter 15.

14.3(3) Continuing education requirements. In order to renew a radiography qualification, the dental assistant shall obtain at least two hours of continuing education in the subject area of dental radiography. Proof of attendance shall be retained by the dental assistant and must be submitted to the board office upon request.

14.3(4) CPR certification. In order to renew a radiography qualification, an applicant must submit a statement:

- a. Confirming that the applicant possesses a valid certificate from a nationally recognized course in cardiopulmonary resuscitation (CPR) that included a “hands-on” clinical component;
- b. Providing the expiration date of the CPR certificate; and

c. Acknowledging that the CPR certificate will be retained and made available to board office staff as part of routine auditing and monitoring.

This rule is intended to implement Iowa Code chapters 136C and 153.

ITEM 21. Amend renumbered rules 650—14.4(147,153,272C) to 650—14.6(147,153,272C) as follows:

650—14.4(147,153,272C) Grounds for nonrenewal. The board may refuse to renew a license₂ or registration or radiography qualification on the following grounds:

14.4(1) After proper notice and hearing, for a violation of these rules or Iowa Code chapter 147, 153, or 272C during the term of the last license₂ or registration or radiography qualification or renewal of license₂ or registration or radiography qualification.

14.4(2) Failure to pay required fees.

14.4(3) Failure to obtain required continuing education.

14.4(4) Failure to provide proof a statement of current certification in cardiopulmonary resuscitation in a course that includes a clinical component.

14.4(5) Receipt of a certificate of noncompliance from the college student aid commission or the child support recovery unit of the department of human services in accordance with 650—Chapter 33 and 650—Chapter 34.

This rule is intended to implement Iowa Code section 153.23 and chapters 147, 252J, 261, and 272C.

650—14.5(147,153,272C) Late fee renewal.

14.5(1) No renewal application shall be considered timely and sufficient until received by the board and accompanied by the material required for renewal and all applicable renewal and late fees.

14.5(1) Failure to renew license or permit.

a. Failure to renew the a dental or dental hygiene license or permit prior to September 1 following expiration shall result in a late fee of \$100 in the amount specified in 650—Chapter 15 being assessed by the board in addition to the renewal fee.

b. Failure to renew prior to October 1 following expiration shall result in assessment of a late fee of \$150 being assessed in the amount specified in 650—Chapter 15.

c. **14.5(2)** Failure of a licensee or permit holder to renew a license or permit prior to November 1 following expiration shall cause the license or permit to lapse and become invalid. A licensee or permit holder whose license or permit has lapsed and become invalid is prohibited from the practice of dentistry or dental hygiene until the license or permit is reinstated in accordance with rule 14.5(153) 650—14.6(147,153,272C).

14.5(2) Failure to renew registration.

a. Failure to renew a dental assistant registration prior to September 1 following expiration shall result in a late fee in the amount specified in 650—Chapter 15 assessed by the board in addition to the renewal fee.

b. Failure to renew prior to October 1 following expiration shall result in assessment of a late fee in the amount specified in 650—Chapter 15.

c. Failure to renew a registration prior to November 1 following expiration shall cause the registration to lapse and become invalid. A registrant whose registration has lapsed and become invalid is prohibited from practicing as a dental assistant until the registration is reinstated in accordance with rule 650—14.6(147,153,272C).

14.5(3) Failure to renew radiography qualification. Failure to renew a radiography qualification prior to November 1 following expiration shall cause the radiography qualification to lapse and become invalid. A dental assistant whose radiography qualification is lapsed is prohibited from engaging in dental radiography until the qualification is reinstated in accordance with rule 650—14.7(136C,153).

This rule is intended to implement Iowa Code sections 147.10, 147.11, 153.30 and 272C.2.

650—14.6(147,153,272C) Reinstatement of a lapsed license or registration.

14.6(1) A licensee or a registrant who allows a license or registration to lapse by failing to renew may be have the license or registration reinstated at the discretion of the board by submitting the following:

a. to d. No change.

e. Payment of all renewal fees past due, ~~not to exceed \$750~~ as specified in 650—Chapter 15, plus the reinstatement fee as specified in 650—Chapter 15.

f. to j. No change.

14.6(2) to 14.6(4) No change.

This rule is intended to implement Iowa Code sections 147.10, 147.11, ~~153.30~~ and 272C.2.

ITEM 22. Adopt the following new rule 650—14.7(136C,153):

650—14.7(136C,153) Reinstatement of lapsed radiography qualification. A dental assistant who allows a radiography qualification to lapse by failing to renew may have the radiography qualification reinstated at the discretion of the board by submitting the following:

14.7(1) A completed application for reinstatement of the dental assistant radiography qualification.

14.7(2) Payment of the radiography reinstatement application fee and the current renewal fee, both as specified in 650—Chapter 15.

14.7(3) Proof of current registration as a dental assistant or proof of an active Iowa nursing license.

14.7(4) If the radiography qualification has been lapsed for less than four years, proof of two hours of continuing education in the subject area of dental radiography, taken within the previous two-year period.

14.7(5) If the radiography qualification has been lapsed for more than four years, the dental assistant shall be required to retake and successfully complete an examination in dental radiography. A dental assistant who presents proof of a current radiography qualification issued by another state and who has engaged in dental radiography in that state is exempt from the examination requirement.

This rule is intended to implement Iowa Code section 136C.3 and chapter 153.

ITEM 23. Amend 650—Chapter 15 as follows:

CHAPTER 15

FEES

650—15.1(147,153) Establishment of fees. The board is self-supporting through the collection of fees and does not receive an appropriation from the general fund. Pursuant to Iowa Code section 147.80, the board is to establish fees by rule based on the costs of sustaining the board and the actual costs of the services performed by the board. Under Iowa law, the board is required to annually prepare an estimate of projected revenues generated by the fees received and review projected expenses to ensure that there are sufficient funds to cover projected expenses.

650—15.2(147,153) Definitions. The following definitions apply to this chapter:

“Fee” means the amount charged for the services described in this chapter. All fees are nonrefundable. The board office will refund any overpayment of fees.

“Service charge” means the amount charged for making a service available online and is in addition to the actual fee for a service itself. For example, a licensee who renews a license online will pay the license renewal fee and a service charge.

650—15.1 650—15.3(153) License application Application fees. All fees are nonrefundable. In addition to the fees specified in this rule, an applicant will pay a service charge for filing online.

~~15.1(1)~~ **15.3(1) Dental licensure on the basis of examination.** The fees for a dental license issued on the basis of examination include an application fee, a fee for evaluation of a fingerprint packet and criminal background check and, if applying within three months or less of a biennial renewal due date, the renewal fee.

a. Application fee. The application fee for a license to practice dentistry is \$200.

b. Initial licensure period and renewal period. If an applicant applies within three months or less of a biennial renewal due date, the applicant shall pay the renewal fee along with the licensure application fee. A license shall not be issued for a period less than three months or longer than two years and three months. Thereafter, a licensee shall pay the renewal fee as specified in 650—15.4(153).

c. Fingerprint packet and criminal history check. The fee for evaluation of a fingerprint packet and criminal background check is specified in subrule 15.7(4).

~~15.1(2)~~ **15.3(2)** *Dental hygiene licensure on the basis of examination.* The fees for a dental hygiene license issued on the basis of examination include an application fee, an initial licensure fee, and a fee for evaluation of a fingerprint packet and criminal background check.

a. Application fee. The application fee for a license to practice dental hygiene is \$100.

b. Initial licensure period and renewal period. If an applicant applies within three months or less of a biennial renewal due date, the applicant shall pay the renewal fee along with the licensure application fee. A license shall not be issued for a period less than three months or longer than two years and three months. Thereafter, a licensee shall pay the renewal fee as specified in 650—15.4(153).

c. Fingerprint packet and criminal history check. The fee for evaluation of a fingerprint packet and criminal background check is specified in subrule 15.7(4).

~~15.1(3)~~ **15.3(3)** *Resident dental license.* The application fee for a resident dentist dental license is \$120.

~~15.1(4)~~ **15.3(4)** *Faculty permit.* The application fee for a faculty permit is \$200.

~~15.1(5)~~ **15.3(5)** *Dental licensure on the basis of credentials.* The fees for a dental license issued on the basis of credentials include an application fee, an initial licensure fee, and a fee for evaluation of a fingerprint packet and criminal background check.

a. Application fee. The application fee for a license to practice dentistry issued on the basis of credentials is \$550.

b. Initial licensure period and renewal period. If an applicant applies within three months or less of a biennial renewal due date, the applicant shall pay the renewal fee along with the licensure application fee. A license shall not be issued for a period less than three months or longer than two years and three months. Thereafter, a licensee shall pay the renewal fee as specified in 650—15.4(153).

c. Fingerprint packet and criminal history check. The fee for evaluation of a fingerprint packet and criminal background check is specified in subrule 15.7(4).

~~15.1(6)~~ **15.3(6)** *Dental hygiene licensure on the basis of credentials.* The fees for a dental hygiene license issued on the basis of credentials include an application fee, an initial licensure fee, and a fee for evaluation of a fingerprint packet and criminal background check.

a. Application fee. The application fee for a license to practice dental hygiene issued on the basis of credentials is \$200.

b. Initial licensure period and renewal period. If an applicant applies within three months or less of a biennial renewal due date, the applicant shall pay the renewal fee along with the licensure application fee. A license shall not be issued for a period less than three months or longer than two years and three months. Thereafter, a licensee shall pay the renewal fee as specified in 650—15.4(153).

c. Fingerprint packet and criminal history check. The fee for evaluation of a fingerprint packet and criminal background check is specified in subrule 15.7(4).

~~15.1(7)~~ **15.3(7)** *Reactivation of an inactive license or registration.* The fee for a reinstatement reactivation application for inactive practitioners is \$50.

~~15.1(8)~~ **15.3(8)** *Reinstatement of an inactive license or registration.* The fee for a reinstatement application for a lapsed license or registration is \$150.

~~15.1(9)~~ **15.3(9)** *General anesthesia permit application.* The application fee for a general anesthesia permit is \$500.

~~15.1(10)~~ **15.3(10)** *Moderate sedation permit application.* The application fee for a conscious moderate sedation permit is \$500.

~~15.1(11)~~ **15.3(11)** *Local anesthesia permit—initial application and reinstatement.* The application or reinstatement fee for a permit to authorize a dental hygienist to administer local anesthesia is \$70.

~~15.1(12)~~ **15.3(12)** *Dental assistant trainee application.* The fee for an application for registration as a dental assistant trainee is \$25.

~~15.1(13)~~ **15.3(13)** *Dental assistant registration only application.* The fee for an application for registration as a registered dental assistant is \$40.

~~15.1(14)~~ The fee for evaluation of a fingerprint packet and the criminal history background checks is \$46. The fee shall be considered a repayment receipt as defined in Iowa Code section 8.2.

15.3(14) *Combined application—dental assistant registration and qualification in radiography.* The fee for a combined application for both registration as a registered dental assistant and radiography qualification is \$60.

~~15.1(15)~~ **15.3(15)** *Dental assistant radiography qualification application fee.* The fee for an application for dental assistant radiography qualification is \$40.

~~15.1(16)~~ **15.3(16)** *Temporary permit—urgent need or educational services.* The fee for an application for a temporary permit to serve an urgent need or provide educational services is \$100 if an application is submitted online or \$150 if submitted via paper application.

~~15.1(17)~~ **15.3(17)** *Temporary permit—volunteer services.* The fee for an application for a temporary permit to provide volunteer services is \$25.

650—15.2 650—15.4(153) Renewal fees. All fees are nonrefundable. Each two-year renewal period begins on September 1 and runs through August 31. Dental licenses, moderate sedation permits, and general anesthesia permits expire in even-numbered years. Dental hygiene licenses, local anesthesia permits, dental assistant registration and qualification in dental radiography expire in odd-numbered years. To avoid late fees, paper renewal applications must be postmarked on or received in the board office by August 31. To avoid late fees, online renewal applications must be time-stamped no later than 11:59 p.m. (CST) on August 31.

~~15.2(1)~~ **15.4(1)** *Dental license renewal.* The fee for renewal of a license to practice dentistry for a biennial period is \$315 for an active practitioner and \$315 for an inactive practitioner.

~~15.2(2)~~ **15.4(2)** *Dental hygiene license renewal.* The fee for renewal of a license to practice dental hygiene for a biennial period is \$150 for an active practitioner and \$150 for an inactive practitioner.

~~15.2(3)~~ **15.4(3)** *General anesthesia permit renewal.* The fee for renewal of a general anesthesia permit is \$125.

~~15.2(4)~~ **15.4(4)** *Moderate sedation permit renewal.* The fee for renewal of a conscious moderate sedation permit is \$125.

~~15.2(5)~~ **15.4(5)** *Local anesthesia permit renewal.* The fee for renewal of a permit to authorize a dental hygienist to administer local anesthesia is \$25.

~~15.2(6)~~ **15.4(6)** *Dental assistant registration renewal.* The fee for renewal of registration as a registered dental assistant is \$75.

15.4(7) *Combined renewal application—dental assistant registration and qualification in radiography.* The fee for a combined application to renew both a registration as a registered dental assistant and a radiography qualification is \$115.

~~15.2(7)~~ **15.4(8)** *Dental assistant qualification in radiography renewal.* The fee for renewal of a certificate of qualification in dental radiography is \$40.

~~15.2(8)~~ **15.4(9)** *Faculty permit renewal.* The fee for renewal of a faculty permit is \$315.

~~15.2(9)~~ **15.4(10)** *Resident license renewal.* The fee for renewal or extension of a resident license is \$40.

650—15.3 650—15.5(153) Late renewal fees. All fees are nonrefundable. A licensee, registrant or permit holder who fails to renew a license, registration or permit to practice following expiration is subject to late renewal fees pursuant to ~~650—Chapter 14~~ as described in this rule. ~~A registrant who fails to renew a registration to practice following expiration is subject to late renewal fees pursuant to 650—Chapter 20.~~

15.5(1) Failure to renew a license, registration or permit prior to September 1. Failure by a licensee, registrant or permit holder to renew the license, registration or permit prior to September 1 following expiration shall result in the following late fees:

- a. Dental license or permit. A late fee of \$100 shall be assessed, in addition to the renewal fee.
- b. Dental hygiene license. A late fee of \$100 shall be assessed, in addition to the renewal fee.
- c. Dental assistant registration. A late fee of \$20 shall be assessed, in addition to the renewal fee.

15.5(2) Failure to renew a license, registration or permit prior to October 1. Failure by a licensee, registrant or permit holder to renew the license, registration or permit prior to October 1 following expiration shall result in the following late fees:

- a. Dental license or permit. A late fee of \$150 shall be assessed, in addition to the renewal fee.
- b. Dental hygiene license. A late fee of \$150 shall be assessed, in addition to the renewal fee.
- c. Dental assistant registration. A late fee of \$40 shall be assessed, in addition to the renewal fee.

15.5(3) Failure to renew a license, registration or permit prior to November 1. Failure by a licensee, registrant or permit holder to renew a license, registration or permit prior to November 1 following expiration shall cause the license, registration or permit to lapse and become invalid. A licensee, registrant or permit holder whose license, registration or permit has lapsed and become invalid is prohibited from the practice of dentistry, dental hygiene, or dental assisting until the license, registration or permit is reinstated.

650—15.6(147,153) Reinstatement fees. If a license, registration or permit lapses or is inactive, a licensee, registrant or permit holder may submit an application for reinstatement. Licensees, registrants or permit holders are subject to reinstatement fees as described in this rule.

15.6(1) Reinstatement of a dental license. In addition to the reinstatement application fee specified in 15.3(8), the applicant must pay all back renewal fees (not to exceed \$750) and the fee for evaluation of a fingerprint packet and criminal background check as specified in 15.7(4).

15.6(2) Reinstatement of a dental hygiene license. In addition to the reinstatement application fee specified in 15.3(8), the applicant must pay all back renewal fees (not to exceed \$750) and the fee for evaluation of a fingerprint packet and criminal background check as specified in 15.7(4).

15.6(3) Reinstatement of a dental assistant registration. In addition to the reinstatement application fee specified in 15.3(8), the applicant must pay all back renewal fees (not to exceed \$750).

15.6(4) Combined reinstatement application—dental assistant registration and qualification in radiography. The fee for a combined application to reinstate both a registration as a registered dental assistant and a radiography qualification is specified in 15.3(8).

15.6(5) Reinstatement of qualification in radiography. In addition to the reinstatement application fee specified in 15.3(8), the applicant must pay all back renewal fees (not to exceed \$750).

650—15.4 650—15.7(153) Miscellaneous fees. Payments made to the Iowa Board of Dental Examiners Dental Board, which shall be considered a repayment receipt as defined in Iowa Code section 8.2, shall be received in the board office prior to release of the requested document.

15.4(1) 15.7(1) Duplicates. The fee for issuance of a duplicate license, permit or registration certificate or current renewal is \$25.

15.4(2) 15.7(2) Certification or verification. The fee for a certification or written verification of an Iowa license, permit or registration is \$25.

15.4(3) 15.7(3) Trainee manual. The fee for the dental assistant trainee manual is \$70.

15.7(4) Fingerprint packet and criminal history background check. The fee for evaluation of a fingerprint packet and the criminal history background checks is \$46.

15.7(5) IPRC monitoring. The fee for monitoring for compliance with an IPRC agreement is \$100 per quarter, unless otherwise stated in the Iowa practitioner program contract entered into pursuant to 650—Chapter 35.

15.7(6) Monitoring for compliance with settlement agreements. The fee for monitoring a licensee's, registrant's or permit holder's compliance with a settlement agreement entered into pursuant to 650—subrule 51.19(9) is \$300 per quarter, unless otherwise stated in the settlement agreement.

15.7(7) Disciplinary hearings—fees and costs.

a. Definitions. As used in this subrule in relation to fees related to a formal disciplinary action filed by the board against a licensee, registrant or permit holder:

“Deposition” means the testimony of a person pursuant to subpoena or at the request of the state of Iowa taken in a setting other than a hearing.

“Expenses” means costs incurred by persons appearing pursuant to subpoena or at the request of the state of Iowa for purposes of providing testimony on the part of the state of Iowa in a hearing or other official proceeding and shall include mileage reimbursement at the rate specified in Iowa Code section 70A.9 or, if commercial air or ground transportation is used, the actual cost of transportation to and from the proceeding. Also included are actual costs incurred for meals and necessary lodging.

“Medical examination fees” means actual costs incurred by the board in a physical, mental, chemical abuse, or other impairment-related examination or evaluation of a licensee when the examination or evaluation is conducted pursuant to an order of the board.

“Transcript” means a printed verbatim reproduction of everything said on the record during a hearing or other official proceeding.

“Witness fees” means compensation paid by the board to persons appearing pursuant to subpoena or at the request of the state of Iowa for purposes of providing testimony on the part of the state of Iowa. For the purposes of this rule, compensation shall be the same as outlined in Iowa Code section 622.69 or 622.72 as the case may be.

b. The board may charge a fee not to exceed \$75 for conducting a disciplinary hearing which results in disciplinary action taken against the licensee by the board. In addition to the fee, the board may recover from the licensee costs for the following procedures and personnel:

- (1) Transcript.
- (2) Witness fees and expenses.
- (3) Depositions.
- (4) Medical examination fees incurred relating to a person licensed under Iowa Code chapter 147.

650—15.8(153) Continuing education fees.

15.8(1) Application for prior approval of activities. The fee for an application for prior approval of a continuing education activity is \$10.

15.8(2) Application for postapproval of activities. The fee for an application for postapproval of a continuing education activity is \$10.

15.8(3) Application for approved sponsor status. The fee for an application to become an approved sponsor for a continuing education activity is \$100. The biennial renewal fee is \$100.

650—15.9(153) Facility inspection fee. The actual costs for an on-site evaluation of a facility at which deep sedation/general anesthesia or moderate sedation is authorized pursuant to 650—Chapter 29 shall not exceed \$500 per facility per inspection.

650—15.5 650—15.10(22,147,153) Public records. Public records are available according to 650—Chapter 6, “Public Records and Fair Information Practices.” Payment made to the Iowa Dental Board of Dental Examiners, which shall be considered a repayment receipt as defined in Iowa Code section 8.2, shall be received in the board office prior to the release of the records.

15.5(4) 15.10(1) Copies of public records shall be calculated at \$.25 per page plus labor. A \$16 per hour fee shall be charged for labor in excess of one-half hour for searching and copying documents or retrieving and copying information stored electronically. No additional fee shall be charged for delivery of the records by mail or fax. A fax is an option if the requested records are fewer than 30 pages. The board office shall not require payment when the fees for the request would be less than \$5 total.

15.5(2) 15.10(2) Electronic copies of public records delivered by e-mail shall be calculated at \$.10 per page; the minimum charge shall be \$5. A \$16 per hour fee shall be charged for labor in excess of one-half hour for searching and copying documents or retrieving and copying information stored

electronically. The board office shall not require payment when the fee for the request would be less than \$5 total.

~~15.5(3)~~ **15.10(3)** Electronic files of statements of charges, final orders and consent agreements from each board meeting delivered via e-mail may be available for an annual subscription fee of \$24.

~~15.5(4)~~ **15.10(4)** Printed copies of statements of charges, final orders and consent agreements from each board meeting shall be available for an annual subscription fee of \$120.

~~650—15.6~~ **650—15.11(22,147,153)** **Purchase of a mailing list or data list.** Payment made to the Iowa Dental Board of ~~Dental Examiners~~, which shall be considered a repayment receipt as defined in Iowa Code section 8.2, shall be received in the board office prior to the release of a list.

~~15.6(1)~~ **15.11(1)** *Mailing list.* The standard mailing list for all active dental and dental hygiene licensees and dental assistant registrants includes the full name, address, city, state, and ZIP code. The standard mailing list of dentists or dental hygienists does not include resident licensees or faculty permit holders.

- a. Printed mailing list, \$65 per profession requested.
- b. Mailing list on ~~diskette~~ disc or DVD, \$45 per profession requested.
- c. Mailing list in an electronic file, \$35 per profession requested.

~~15.6(2)~~ **15.11(2)** *Data list for dentists, hygienists, or assistants.* The standard data list for active licensees or registrants includes full name, address, Iowa county (if applicable), issue date, expiration date, license or registration number, and license or registration status. Additional data elements, programming or sorting increases the following fees by \$25.

- a. Printed standard data list, \$75 per profession requested.
- b. Standard data list on ~~diskette~~ disc or DVD, \$55 per profession requested.
- c. Standard data list in an electronic file, \$45 per profession requested.

~~650—15.7~~ **650—15.12(147,153)** **Returned checks.** The board shall charge a fee of ~~\$25~~ **\$39** for a check returned for any reason. If a license or registration had been issued by the board office based on a check that is later returned by the bank, the board shall request payment by certified check or money order. If the fees are not paid within two weeks of notification of the returned check by certified mail, the licensee or registrant shall be subject to disciplinary action for noncompliance with board rules.

~~650—15.8~~ **650—15.13(147,153,272C)** **Copies of the laws and rules.** Copies of laws and rules pertaining to the practice of dentistry, dental hygiene, or dental assisting are available from the board office for the following fees.

1. Iowa Code and Iowa Administrative Code access, no fee, available at www.state.ia.us/dentalboard.
2. Printed copies of the Iowa Code chapters that pertain to the practice of dentistry, \$10.
3. Printed copies of dental board rules in the Iowa Administrative Code, \$15.

~~650—15.9~~ **650—15.14(17A,147,153,272C)** **Waiver prohibited.** Rules in this chapter are not subject to waiver pursuant to 650—Chapter 7 or any other provision of law.

These rules are intended to implement Iowa Code sections 147.10, 147.80 and 153.22.

ITEM 24. Amend subparagraph **20.6(2)“b”(8)** as follows:

~~(8) Evidence of current certification in cardiopulmonary resuscitation sponsored by a nationally recognized provider. A statement:~~

1. Confirming that the applicant possesses a valid certificate from a nationally recognized course in cardiopulmonary resuscitation (CPR) that included a “hands-on” clinical component;
2. Providing the expiration date of the CPR certificate; and
3. Acknowledging that the CPR certificate will be retained and made available to board office staff as part of routine auditing and monitoring.

ITEM 25. Rescind rule ~~650—20.11(153)~~.

ITEM 26. Renumber rules ~~650—20.12(153)~~ to ~~650—20.16(153)~~ as ~~650—20.11(153)~~ to ~~650—20.15(153)~~.

ITEM 27. Rescind rules ~~650—22.6(136C,153)~~ and ~~650—22.7(136C,153)~~.

ITEM 28. Renumber rule ~~650—22.8(136C,153)~~ as ~~650—22.6(136C,153)~~.

ITEM 29. Amend subrules 25.3(5) and 25.3(6) as follows:

25.3(5) Prior approval of activities. An organization or person, other than an approved sponsor, that desires prior approval for a course, program or other continuing education activity or that desires to establish approval of the activity prior to attendance shall apply for approval to the board at least 90 days in advance of the commencement of the activity on a form provided by the board. The board shall approve or deny the application. The application shall state the dates, subjects offered, total hours of instruction, names and qualifications of speakers and other pertinent information. An application fee of \$10, ~~which shall be considered a repayment receipt as defined in Iowa Code section 8.2, as specified in 650—Chapter 15~~ is required.

25.3(6) Postapproval of activities. A licensee or registrant seeking credit for attendance and participation in an educational activity which was not conducted by an approved sponsor or otherwise approved may submit to the board, within 60 days after completion of such activity, its dates, subjects, instructors, and their qualifications, the number of credit hours and proof of attendance. Within 90 days after receipt of such application the board shall advise the licensee or registrant in writing by ordinary mail whether the activity is approved and the number of hours allowed. All requests may be reviewed by the advisory committee on continuing education prior to final approval or denial by the board. A licensee or registrant not complying with the requirements of this paragraph may be denied credit for such activity. An application fee of \$10, ~~which shall be considered a repayment receipt as defined in Iowa Code section 8.2, as specified in 650—Chapter 15~~ is required.

ITEM 30. Amend subrule 25.4(2) as follows:

25.4(2) Prospective sponsors must apply to the Iowa dental board of dental examiners using a “Sponsor Approval Form” in order to obtain approved sponsor status. An application fee of \$100 as specified in 650—Chapter 15 is required, ~~which shall be considered a repayment receipt as defined in Iowa Code section 8.2.~~ Board-approved sponsors must pay the biennial renewal fee of \$100, ~~which shall be considered a repayment receipt as defined in Iowa Code section 8.2, as specified in 650—Chapter 15~~ and file a sponsor recertification record report biennially.

ITEM 31. Amend subrule 29.5(7) as follows:

29.5(7) The actual costs associated with the on-site evaluation of the facility shall be the primary responsibility of the licensee. The cost to the licensee shall not exceed \$500 ~~per facility~~ the fee as specified in 650—Chapter 15.

ITEM 32. Amend subrules 51.19(3) and 51.19(9) as follows:

51.19(3) Consent to negotiation by the respondent during informal settlement negotiation constitutes a waiver of notice and opportunity to be heard pursuant to Iowa Code section 17A.17 ~~as amended by 1998 Iowa Acts, chapter 1202.~~ Thereafter, the prosecuting attorney is authorized to discuss informal settlement with the board chairperson or designee(s).

51.19(9) A provision for payment of ~~the actual costs or a \$300~~ a quarterly fee ~~to cover the board’s expenses associated with monitoring a licensee’s or registrant’s compliance with the settlement agreement may be included in the settlement agreement. Actual costs include mileage, meals, travel expenses, hourly investigative time, and all incidental expenses associated with monitoring compliance. Monitoring costs shall be considered repayment receipts as defined in Iowa Code section 8.2 as stated in 650—Chapter 15 or such other fees as specified by the board may be included in the settlement agreement.~~

ITEM 33. Amend rule 650—51.35(272C) as follows:

650—51.35(272C) Disciplinary hearings—fees and costs.

51.35(1) Definitions. As used in this chapter in relation to a formal disciplinary action filed by the board against a licensee:

“Deposition” means the testimony of a person pursuant to subpoena or at the request of the state of Iowa taken in a setting other than a hearing.

“Expenses” means costs incurred by persons appearing pursuant to subpoena or at the request of the state of Iowa for purposes of providing testimony on the part of the state of Iowa in a hearing or other official proceeding and shall include mileage reimbursement at the rate specified in Iowa Code section 70A.9 or, if commercial air or ground transportation is used, the actual cost of transportation to and from the proceeding. Also included are actual costs incurred for meals and necessary lodging.

“Medical examination fees” means actual costs incurred by the board in a physical, mental, chemical abuse, or other impairment-related examination or evaluation of a licensee when the examination or evaluation is conducted pursuant to an order of the board.

“Transcript” means a printed verbatim reproduction of everything said on the record during a hearing or other official proceeding.

“Witness fees” means compensation paid by the board to persons appearing pursuant to subpoena or at the request of the state of Iowa for purposes of providing testimony on the part of the state of Iowa. For the purposes of this rule, compensation shall be the same as outlined in Iowa Code section 622.69 or 622.72 as the case may be.

51.35(1) Fees. The fees related to a formal disciplinary action filed by the board are specified in 650—Chapter 15.

51.35(2) The board may charge a fee not to exceed \$75 for conducting a disciplinary hearing which results in disciplinary action taken against the licensee by the board. In addition to the fee, the board may recover from the licensee costs for the following procedures and personnel:

a.—Transcript.

b.—Witness fees and expenses.

c.—Depositions.

d.—Medical examination fees incurred relating to a person licensed under Iowa Code chapter 147.

51.35(3) Fees and costs assessed by the board pursuant to subrule 51.35(2) shall be calculated by the board’s executive director and shall be entered as part of the board’s final disciplinary order. The board’s final disciplinary order shall specify the time period in which the fees and costs shall be paid by the licensee.

51.35(4) Fees and costs collected by the board pursuant to subrule 51.35(2) shall be allocated to the expenditure category of the board in which the hearing costs were incurred. The fees and costs shall be considered repayment receipts as defined in Iowa Code section 8.2.

51.35(5) 51.35(2) Failure of a licensee, registrant or permit holder to pay the fees and costs assessed herein in 650—Chapter 15 in the time specified in the board’s final disciplinary order shall constitute a violation of a lawful order of the board.